

IN THE UNITED STATES DISTRICT COURT FOR THE  
EASTERN DISTRICT OF TENNESSEE  
AT GREENEVILLE

UNITED STATES OF AMERICA	)	
	)	
v.	)	No. 2:11-CR-027
	)	
PAUL DOUGLAS PRATER	)	

**MEMORANDUM AND ORDER**

This criminal case is before the court on the defendant's motion for a continuance of his April 5, 2012 trial date [doc. 62]. In support of his motion, the defendant states that additional time is needed to supplement his objections to a pending report and recommendation regarding his motion to suppress. The defendant further states that additional time is needed for the filing and consideration of a second motion to dismiss. The prosecuting attorney, through telephone and email communications with defense counsel and the undersigned's law clerk, has expressed that he does not object to the defendant's request.

The court finds that the ends of justice served by granting the present motion outweigh the best interests of the public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A). In light of the reasoning set forth by the defendant, the court finds that the failure to grant his motion would deny defense counsel the reasonable time necessary for effective preparation. 18 U.S.C. § 3161(h)(7)(B)(iv). The defendant's motion requires a

delay in the proceedings. Therefore, all the time from the filing of the defendant's motion to the new trial date is excludable as provided by the Speedy Trial Act. 18 U.S.C. § 3161(h)(7)(A).

It is hereby **ORDERED** that the defendant's motion [doc. 62] is **GRANTED**, and this criminal case is **CONTINUED** to Wednesday, **June 13, 2012, at 9:00 a.m.** The new plea cutoff date is May 30, 2012.

ENTER:

s/ Leon Jordan  
United States District Judge